

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE ALUMINUM WAREHOUSING	:	MDL No. 2481
ANTITRUST LITIGATION	:	
	:	
This Document Relates To:	:	Master Docket No.
	:	13-md-2481-KBF
	:	
FIRST LEVEL PURCHASER CASES	:	
COMMERCIAL END-USER CASES	:	
CONSUMER END-USER CASES	:	
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**DECLARATION OF MARCOS CASTRO IN SUPPORT OF**  
**LME HOLDINGS LIMITED'S MOTION TO DISMISS**

1. My name is Marcos Castro. This declaration is made in support of LME Holdings Limited's Motion to Dismiss in *In re Aluminum Warehousing Antitrust Litigation*, MDL No. 2481. Based on my personal knowledge and a reasonable inquiry, the facts set forth in this declaration and the following statements are true and correct.

2. I am the corporate secretary for LME Holdings Limited ("Holdings"). I have been the corporate secretary for The London Metal Exchange and Holdings since December 13, 2012. As part of my responsibilities as corporate secretary, I am familiar with the structure and management of Holdings, as well as its relationship to The London Metal Exchange (the "LME").

**Background of the LME Holdings Limited**

3. Holdings is the sole shareholder of the LME, and is purely a holding company that does not manufacture or sell products or provide consumer services.

4. Holdings is incorporated under the laws of the United Kingdom and headquartered in London, England.

5. Because it is a holding company, Holdings does not have employees.

6. Holdings does not conduct business related to aluminum warehousing.

**No Contacts With New York Or The United States**

7. Holdings does not now transact, nor has it ever transacted, any business in the United States.

8. Holdings does not have regular contacts with the United States or with any specific state, including of Michigan, New York, and Massachusetts.

9. Holdings is not incorporated in the United States.

10. Holdings has never had its principal place of business in the United States and is not licensed to do business in the United States.

11. Holdings does not own, and has never owned, any subsidiary located in the United States.

12. Holdings does not now maintain, nor has it ever maintained, offices or branches in the United States.

13. Holdings does not own or lease, and has not owned or leased, any real property in the United States.

14. Holdings does not now employ, nor has it ever employed, individuals or agents located in the United States.

15. Holdings does not have, and has never had, an agent designated for service of process in the United States.

16. Holdings does not now have, nor has it ever maintained, an address, phone number, or fax number in the United States.

17. Holdings does not now manufacture or sell, nor has it ever manufactured or sold, products in the United States.

18. Holdings does not now maintain, and has not ever maintained, bank accounts in the United States.

19. Holdings does not receive income in the United States.

20. Holdings does not now pay, and has never paid, taxes in the United States.

21. Holdings does not conduct officer or board meetings in the United States.

22. Holdings does not now advertise or solicit investments, and has never advertised or solicited investments, in the United States.

23. All of Holdings's corporate activities occur in the United Kingdom.

#### **Relationship Between Holdings and the LME**

24. Holdings does not exercise any control or influence over the day-to-day business operations of the LME.

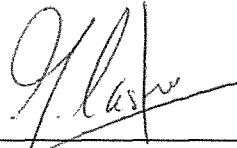
25. Holdings and the LME do not share financial records, although they are maintained on the same electronic system.

26. Holdings does not guarantee loans or other financial arrangements for the LME.

27. Holdings maintains a separate corporate identity from the LME.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, pursuant to 28 U.S.C. § 1746.

Executed on April 23, 2014

A handwritten signature in black ink, appearing to read 'Marcos Castro', is written over a horizontal line.

Marcos Castro  
LME Holdings Limited